Ppaid 10/25/05 CA

U.S. DISTRICT COURT - N.D. OF N.Y.
FILED
OCT 25 2005
AT ____ O'CLOCK ____
Lawrence K. Baerman, Clerk - Binghamton

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

Plaintiffs

STIPULATION

vs.

04-CR-544 (TJM)

KUN FUK CHENG
a/k/a STEVEN CHENG;
JIN RONG CHENG,
a/k/a JOYCE CHENG
and HUI GUO

Defendants.

IT IS HEREBY STIPULATED, by and between the parties to this action, Glenn t. Suddaby, United States Attorney for the Northern District of New York, Sara M. Lord, Assistant United States Attorney, of counsel, and Brian Devane, Esq., on behalf of defendant **KUN FUK CHENG;** E. Stewart Jones, Esq. on behalf of **JIN RONG CHENG;** and Steven Coffey, Esq. on behalf of **HUI GUO,** that the time period before the filing of motions be extended for sixty (90) days from the date of the signing of this Order and that this time be excluded from speedy trial computations under the provisions of Title 18, United States Code, Section 3161(h)(8)(A). This continuance will allow defense counsel to review the extremely extensive evidence and to discuss a possible disposition of the charges without unnecessarily using the time and other resources of the Court, this office, and defense counsel. It is agreed by the parties that the ends of justice served by the granting of said continuance will outweigh the interest of the public and defendants in a speedy trial.

Note: this exclusion shall pertain to all defendants, in the interest of justice and pursuant to Speedy Trial Act, unless a motion for severance is granted.

- Date of indictment: ___11/17/04_______

- Date of initial appearance and/or arraignment: 11/18/04
- Defendant custody status: Not in custody
- Date of detention hearing: 11/19/04
- Date of any previous exclusions granted and the length of such exclusions as to all defendants in above case: 12/22/04 - 3/15/05; 3/15/04 - 6/15/05; 6/15/05 - 8/11/05; 8/01/05 - 10/23/05
- Exclusion concludes: ____________
- Motions shall be filed: ____________
- Motions shall be made returnable ____________
- Trial date/Plea date ____________

Defendants are not incarcerated.

Dated: October , 2005

GLENN T. SUDDABY
UNITED STATES ATTORNEY

BY: [signature]
Sara M. Lord
Assistant U.S. Attorney
Bar Roll # 104163

Dated: October , 2005

____
Brian Devane, Esq.
Attorney for Defendant
Bar Roll #

Dated: October , 2005

____
E. Stewart Jones, Esq.
Attorney for Defendant
Bar Roll #

[redacted]

- Date of initial appearance and/or arraignment: 11/18/04
- Defendant custody status: Not in custody
- Date of detention hearing: 11/19/04
- Date of any previous exclusions granted and the length of such exclusions as to all defendants in above case: 12/22/04 - 3/15/05; 3/15/04 - 6/15/05; 6/15/05 - 8/11/05; 8/01/05 - 10/23/05
- Exclusion concludes: ______
- Motions shall be filed: ______
- Motions shall be made returnable ______
- Trial date/Plea date ______

Defendants are not incarcerated.

Dated: October , 2005

GLENN T. SUDDABY
UNITED STATES ATTORNEY

BY: ______

Sara M. Lord
Assistant U.S. Attorney
Bar Roll # 104163

Dated: October 17, 2005

Brian Devane

Brian Devane, Esq.
Attorney for Defendant
Bar Roll #

Dated: October , 2005

______

E. Stewart Jones, Esq.
Attorney for Defendant
Bar Roll #

- Date of initial appearance and/or arraignment: 11/18/04
- Defendant custody status: Not in custody
- Date of detention hearing: 11/19/04
- Date of any previous exclusions granted and the length of such exclusions as to all defendants in above case: 12/22/04 - 3/15/05; 3/15/04 - 6/15/05; 6/15/05 - 8/11/05; 8/01/05 - 10/23/05
- Exclusion concludes: 1/22/06
- Motions shall be filed: 2/01/06
- Motions shall be made returnable 3/13/06 @ 10:00AM Albany, NY
- Trial date/~~Plea date~~ 2/14/06 @ 10:00AM in Albany, NY

Defendants are not incarcerated.

Dated: October , 2005

GLENN T. SUDDABY
UNITED STATES ATTORNEY

BY: ____________________

Sara M. Lord
Assistant U.S. Attorney
Bar Roll # 104163

Dated: October , 2005

____

Brian Devane, Esq.
Attorney for Defendant
Bar Roll #

Dated: October 7, 2005

____

E. Stewart Jones, Esq.
Attorney for Defendant
Bar Roll #

[redacted] [redacted]

Dated: October , 2005

Steven Coffey, Esq.
Attorney for Defendant
Bar Roll #

* * * * * * * * * * *

SO ORDERED:

Dated: October 25 2005
Albany, New York

THOMAS J. McAVOY
SR. UNITED STATES DISTRICT JUDGE

[redacted] [redacted]